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UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY

VICTAULIC COMPANY,

Plaintiff,

v.

SPRINKFLEX, LLC, FLEXHEAD
INDUSTRIES, INC., THE RELIABLE
AUTOMATIC SPRINKLER CO., INC., HD
SUPPLY, INC., YONG WON E.N.C., LTD.,
and YONG WON USA, INC.,

Defendants.

Civil Action No. 2:10-cv-05009-FSH-PS

Corrected

**[PROPOSED] ORDER GRANTING
DEFENDANTS' MOTION TO SEAL**

Having considered FlexHead and SprinkFlex's Motion to Seal Portions of Their Reply Brief and Portions of the Second Declaration of Norman J. MacDonald, III in Support of Their Motion to Transfer Venue to the District of Massachusetts, the Court makes the following findings of facts and conclusions of law.

[REDACTED] Findings of Fact

limited that the Court is permitting the motion to seal at this time

1. The materials at issue are highly sensitive business information.
2. The parties have a private interest in protecting their highly sensitive business information from disclosure.
3. There are no public interests that would preclude the relief sought herein.
4. The possible harm the Defendants would experience if this highly sensitive business information were disclosed to its competitors is significant.
5. A less restrictive alternative to the relief sought is not available.

[REDACTED] Conclusions of Law

1. A Court may, for good cause, issue an order to protect a party or person from annoyance, embarrassment, oppression, or undue burden or expense, including by

** This order corrects omissions that were part of the order filed July 6, 2011 addressing the limited information contained in the draft filed in support of the motion to seal that the Court permitted to be sealed.*

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requiring that a trade secret or other confidential research, development, or commercial information not be revealed or be revealed only in a specified way. Fed. R. Civ. P. 26(c)(1)(G).

2. FlexHead and SprinkFlex have demonstrated that good cause exists to grant their motion to seal. FlexHead and SprinkFlex have also shown that they have complied with the requirements of L. Civ. R. 5.3(c)(2).

In light of the above findings of fact and conclusions of law, and there being no opposition to the Defendants' motion, this Court GRANTS the Motion in part delivered on and denied in part ^{and for the reasons set forth in the opinion} ^{Document No 6410} IT IS HEREBY ORDERED this 1st day of July, 2011 that the following portions of

Defendants' Reply Brief in Support of Their Motion to Transfer shall be sealed:

- a) Brief at page 5, first paragraph, line 1, beginning with the word "Yong" through ^{first and the line} ~~sells~~ and that same name may be sealed on lines 3 and 5 the word "contacts" in line 4 of the second paragraph. ^{and} ^{first}
- b) Brief at page 5, third paragraph, line 4, beginning with the word "There" through ^{Brief at page 5, third paragraph, the sixth line, between the word by} ~~the word "Massachusetts" in line 5 of the third paragraph~~ and "to"

IT IS FURTHER ORDERED that the following portions of the Second Declaration of Norman J. MacDonald, III filed in support of Defendants' Motion to Transfer shall be sealed:

- a) ~~The entirety of paragraph 5, beginning with the word "SprinkFlex" through the name of suppliers in the first and last lines of word "Ltd."~~ ^{the plaintiff may seal only} ~~the plaintiff may seal only~~ ^{the name of the supplier only} the paragraph

IT IS FURTHER ORDERED that the following portions of the Chart filed in support of FlexHead and SprinkFlex's motion to seal shall be sealed:

- a) Chart at page 1, column (a), line 5, beginning with the word "SprinkFlex's" ^{the name of the supplier only} through the word "Massachusetts" at page 3, column (a), line 9.

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b) ~~Chart at page 3, column (a), line 13, beginning with the word "SprinkFlex" through the word "agreement" at page 3, column (a), line 17.~~
~~the name of the supplier only~~

c) ~~Chart at page 4, column (a), line 4, beginning with the word "SprinkFlex's" through the word "information" at page 4, column (a), line 8.~~
~~the name of the supplier only~~

d) ~~Chart at page 1, column (b), line 2, beginning with the word "and" through the word "won."~~
~~the name of the supplier only~~

e) ~~Chart at page 1, column (b), line 7, beginning with the word "For" through the word "products" at page 2, column (b), line 9.~~
~~the name of the supplier only~~

IT IS FURTHER ORDERED that the following portions of the Declaration of Norman J. MacDonald, III, filed in support of FlexHead and SprinkFlex's motion to seal shall be sealed:

a) ~~The entirety of paragraph 4, beginning with the word "SprinkFlex" through the word "Ltd."~~
~~the name of the supplier only~~

b) ~~The entirety of paragraph 5, beginning with the word "The" through the word "Massachusetts."~~
~~the name of the supplier only~~

c) ~~The entirety of paragraph 6, beginning with the word "SprinkFlex" through the word "products."~~
~~the name of the supplier only~~

It is further ordered that the request to seal any other information (denied) and nothing herein constitutes a

*IT IS FURTHER ORDERED that the confidential information in these pleadings shall be
treated as Outside Attorneys Eyes Only information pursuant to the Discovery Confidentiality
Order (Dkt. 62) entered in this case.*

*Seal pursuant to this order will be sealed if
offered at trial or in connection with another
application*

Patricia Stewart
UNITED STATES DISTRICT JUDGE
Magistrate